

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

FILED  
U.S. DISTRICT COURT  
AUGUSTA, GA.

2009 OCT -6 AM 10:12

DUBLIN DIVISION

CLERK *A. Hagan*  
SO. DIST. OF GA.

JAMES MACK GARRETT,

Plaintiff,

v.

LARRY BUTTS,

Defendant.

CV 309-038

**ORDER**

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's official capacity claim against Defendant Butts for monetary damages is **DISMISSED** from this case.

SO ORDERED this 6th day of Oct., 2009, at Augusta, Georgia.

*Rudolph T. Evans, Jr.*  
UNITED STATES DISTRICT JUDGE